

NEAL & HARWELL, PLC

LAW OFFICES
150 FOURTH AVENUE, NORTH
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NASHVILLE, TENNESSEE 37219-2498

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WWW.NEALHARWELL.COM

October 15, 2010

JAMES F. NEAL
AUBREY B. HARWELL, JR.
JON D. ROSS
JAMES F. SANDERS
THOMAS H. DUNDON
RONALD G. HARRIS
ALBERT F. MOORE
PHILIP N. ELBERT
JAMES G. THOMAS
WILLIAM T. RAMSEY
JAMES R. KELLEY
MARC T. MCNAMEE
GEORGE H. CATE, III
PHILIP D. IRWIN
A. SCOTT ROSS
GERALD D. NEENAN
AUBREY B. HARWELL, III
W. DAVID BRIDGERS
KENDRA E. SAMSON
DAVID G. THOMPSON
LISA PAIGE BINDER

ELIZABETH S. TIPPING
CHANDRA N.T. FLINT
JONATHAN H. WARDLE
JOSHUA J. PHILLIPS
STEPHEN M. MONTGOMERY
JEFF H. GIBSON
LEON H. WOLF
ROBERT A. PEAL

OF COUNSEL
LARRY W. LINDEEN

James R. Freeman, Esq.
Wilkes & McHugh, P.A.
Tampa Commons
1 N. Dale Mabry, Suite 800
Tampa, FL 33609

Re: Sullivan v. Wilkes & McHugh, P.A.

Dear Jim:

Enclosed is my firm's billing statement for the time we have spent and expenses we have incurred in the defense of Wilkes & McHugh through October 14, 2010. Also enclosed is a copy of the detailed invoice sent to Wilkes & McHugh, P.A. on July 15, 2010. Together, these two documents detail all of my firm's charges in this matter. Please let me know if you have any questions or comments about the enclosed statements.

I do not understand why the carrier has refused to pay for my firm's assistance in the defense of this case.

Best personal regards.

Sincerely,

Philip N. Elbert by permission *Shannon Elbert*
Philip N. Elbert

PNE/sms

Enclosure

cc: James L. Wilkes, Esq.



NEAL & HARWELL, PLC
150 FOURTH AVENUE, NORTH
NASHVILLE, TENNESSEE 37219-2498
(615) 244-1713

IDENTIFICATION# [REDACTED]

October 11, 2010

James R. Freeman, Esq.
Wilkes & McHugh, P.A.
Tampa Commons
1 N. Dale Mabry, Suite 800
Tampa, FL 33609

Invoice # 1022464
10572 - 16519

Re: Terry Sullivan v. Wilkes & McHugh, P.A.

FOR PROFESSIONAL SERVICES RENDERED:

Through: September 30, 2010

| <u>Date</u> | <u>Attorney</u> | <u>Description of Services</u> | <u>Hours</u> |
|-------------|-----------------|---|--------------|
| 07/01/2010 | JDB | Prepare letter to Dale Tuttle enclosing original release; | 0.25 |
| 07/13/2010 | JDB | Several telephone conferences with Shelly at Barb Sause's office; telephone conference with Sean McHugh re: billing invoices; telephone conference with Jennifer at Jim Freeman's office re: same; | 0.75 |
| 08/09/2010 | JDB | E-mail to Jim Freeman re: executed settlement release; | 0.25 |
| | | Subtotal for FEE HOURS: | 1.25 |

Wilkes & McHugh P.A.
Re: Sullivan

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FEE SUMMARY:

| | | | |
|-------------------|--------------|--------|--------|
| Jackie D. Brawner | 1.25 hrs. at | 140.00 | 175.00 |
|-------------------|--------------|--------|--------|

Total Fees

\$ 175.00

DISBURSEMENT SUMMARY:

Express Mail

37.54

Long Distance

42.07

Total Disbursements

\$ 79.61

TOTAL DUE THIS STATEMENT

\$ 254.61

OUTSTANDING INVOICES:

| INVOICE # | INVOICE DATE | INVOICE AMOUNT | BALANCE DUE |
|-----------|--------------|----------------|--------------|
| 1021528 | 07/15/2010 | \$225,498.10 | \$225,498.10 |

PAST DUE BALANCE

\$ 225,498.10

TOTAL DUE ON ACCOUNT
PNE

\$ 225,752.71

Wilkes & McHugh P.A.
Re: Sullivan

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REMITTANCE COPY

October 11, 2010

James R. Freeman, Esq.
Wilkes & McHugh, P.A.
Tampa Commons
1 N. Dale Mabry, Suite 800
Tampa, FL 33609

Requesting Attorney: Philip Elbert

IDENTIFICATION# [REDACTED]

| | | |
|--------------------------------|----|---------------|
| Total Fees | \$ | 175.00 |
| Total Disbursements | \$ | 79.61 |
| TOTAL DUE THIS STATEMENT | \$ | <u>254.61</u> |

OUTSTANDING INVOICES AS OF October 11, 2010

*** Please check your records ***

| INVOICE # | INVOICE DATE | INVOICE AMOUNT | BALANCE DUE |
|-----------|--------------|----------------|--------------|
| 1021528 | 07/15/2010 | \$225,498.10 | \$225,498.10 |

PAST DUE BALANCE \$ 225,498.10

TOTAL DUE ON ACCOUNT \$ 225,752.71

Please Remit Payment to:

Neal & Harwell - 150 Fourth Ave N., Suite 2000, Nashville, TN 37219

COPY

NEAL & HARWELL, PLC
150 FOURTH AVENUE, NORTH
NASHVILLE, TENNESSEE 37219-2498
(615) 244-1713

IDENTIFICATION# [REDACTED]

July 15, 2010

Invoice # 1021528
10572 - 16519

James R. Freeman, Esq.
Wilkes & McHugh, P.A.
Tampa Commons
1 N. Dale Mabry, Suite 800
Tampa, FL 33609

Re: Terry Sullivan v. Wilkes & McHugh, P.A.

FOR PROFESSIONAL SERVICES RENDERED:

Through: June 30, 2010

| <u>Date</u> | <u>Attorney</u> | <u>Description of Services</u> | <u>Hours</u> |
|-------------|-----------------|---|--------------|
| 07/28/2009 | PNE | Review correspondence; telephone conferences with Dale Tuttle; review pleadings in Sullivan case; | 1.50 |
| 07/29/2009 | PNE | Conferences with Dale Tuttle; review pleadings and e-correspondence re: sanctions issues; | 1.50 |
| 10/22/2009 | PNE | E-correspondence with Dale Tuttle re: selection of expert witness; | 0.25 |
| 10/25/2009 | PNE | E-correspondence to Jim Wilkes; | 0.25 |
| 10/27/2009 | PNE | Work on locating expert for Dale Tuttle; | 0.50 |
| 11/04/2009 | JDB | Review of deposition notices of Jim Wilkes and Wilkes & McHugh 30(b)(6) representative; | 0.25 |
| 11/04/2009 | JDB | Prepare for meeting with Dale Tuttle; | 0.50 |
| 11/17/2009 | JDB | Conference call with Phil Elbert and Dale Tuttle; | 0.25 |
| 12/01/2009 | PNE | Review pleadings re: motion for summary judgment; | 1.00 |
| 12/03/2009 | PNE | Meeting with Jackie Brawner; | 0.25 |
| 12/03/2009 | PNE | Telephone conference with Dale Tuttle; | 0.25 |
| 12/08/2009 | PNE | Telephone conference with Jim Wilkes; | 0.25 |
| 12/08/2009 | PNE | Telephone conference with Dale Tuttle re: expert; | 0.25 |
| 12/08/2009 | JDB | Conference call with Phil Elbert and Dale Tuttle re: potential expert, Bill Flemming | 0.25 |
| 12/10/2009 | JDB | Prepare for trip to Memphis re: review of Dale Tuttle's file; | 0.50 |
| 12/10/2009 | JDB | Travel to Memphis to review and reproduce file at Dale Tuttle's offices; | 3.50 |
| 12/11/2009 | PNE | Telephone conferences with Dale Tuttle; meeting with Jackie Brawner; | 0.75 |
| 12/11/2009 | JDB | Return travel from Memphis to Nashville; | 3.50 |
| 12/11/2009 | JDB | Review and reproduction of files at Dale Tuttle's offices; | 5.50 |
| 12/14/2009 | JDB | E-mail to Fay re: deposition summaries; | 0.25 |

Wilkes & McHugh P.A.
Re: Sullivan

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| | | | |
|------------|-----|---|------|
| 12/14/2009 | JDB | Organize document production from Dale Tuttle's office; | 1.00 |
| 12/17/2009 | JDB | E-mail to Dale Tuttle re: depo schedule for 1/5/10; | 0.25 |
| 12/20/2009 | PNE | Review pleadings; | 0.75 |
| 12/22/2009 | JDB | Prepare notebook for Phil Elbert review; | 1.00 |
| 12/23/2009 | JHW | Conference with Phil Elbert; | 0.25 |
| 12/28/2009 | JHW | Review pleadings, file; | 1.25 |
| 12/30/2009 | JDB | E-mails to Shannon Sloan re: file maintenance issues and deposition transcripts; | 0.25 |
| 01/04/2010 | PNE | Telephone conference with Jim Wilkes and Jim Freeman; | 0.25 |
| 01/04/2010 | JHW | Conference with Phil Elbert; | 1.25 |
| 01/05/2010 | PNE | Telephone conference with Dale Tuttle; | 0.25 |
| 01/05/2010 | JHW | Review draft motion for protective order; | 1.25 |
| 01/05/2010 | JDB | E-mail to Fay at Dale Tuttle's office re: additional pleadings needed; | 0.25 |
| 01/06/2010 | PNE | Office conference with Jonathan Wardle re: legal issues; review of written discovery; long telephone conference with Dale Tuttle; | 1.50 |
| 01/06/2010 | JHW | Review discovery; work on motion for protective order; conference with Phil Elbert; | 2.75 |
| 01/06/2010 | JDB | E-mail to Phil Elbert re: discovery responses; | 0.25 |
| 01/06/2010 | JDB | E-mail to Dale Tuttle re: representation letter re: Howard case; | 0.25 |
| 01/07/2010 | PNE | Review multiple e-correspondence; telephone conferences with Dale Tuttle; e-correspondence with Dale Tuttle and Jim Wilkes; read deposition transcripts and documents in case; | 7.00 |
| 01/07/2010 | JHW | Review discovery; conference with Phil Elbert; | 0.75 |
| 01/08/2010 | PNE | Conference with Jonathan Wardle re: motion for summary judgment issues and motion for protective order; | 0.50 |
| 01/08/2010 | PNE | E-correspondence with Phil Freidin; telephone conference with Dale Tuttle; e-correspondence with Dale Tuttle; | 0.75 |
| 01/08/2010 | JHW | Conferences with Phil Elbert; | 1.00 |
| 01/08/2010 | JDB | E-mail to Dale Tuttle re: available deposition dates; | 0.25 |
| 01/11/2010 | PNE | Telephone conference with Dale Tuttle; review correspondence from Dale Tuttle; telephone conference with Dale Tuttle re: scheduling of hearing on Motion to Compel; telephone conference with Jim Wilkes; review draft order; review and analysis of file; | 2.00 |
| 01/11/2010 | JHW | Conference with Phil Elbert; | 0.75 |
| 01/11/2010 | JHW | Work on motion for protective order, and research re: same; | 3.50 |
| 01/11/2010 | JHW | Review deposition transcript of Lisa Circeo; | 0.50 |
| 01/11/2010 | JDB | Conference call with Phil Elbert and Dale Tuttle; | 0.25 |
| 01/12/2010 | PNE | Meetings with Dale Tuttle and Jackie Brawner; case analysis; | 5.00 |
| 01/12/2010 | JHW | Work on motion for protective order, and conference with Phil Elbert and Dale Tuttle re: same; | 8.75 |
| 01/13/2010 | PNE | Long telephone conference with Jim Freeman; review documents; office conference with Jonathan Wardle re: legal research; telephone conference with Dale Tuttle re: issue of insurance carrier's payment for personal counsel and for Neal & Harwell involvement; office conference with Jonathan Wardle re: summary | 3.25 |

Wilkes & McHugh P.A.
Re: Sullivan

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| | | |
|----------------|--|------|
| | judgment issues; follow-up telephone conference with Dale Tuttle; | |
| | read depositions; | 0.25 |
| 01/13/2010 JHW | Conference with Phil Elbert; | 1.25 |
| 01/13/2010 JHW | Review deposition transcripts; | 0.50 |
| 01/13/2010 JDB | Conference call with Phil Elbert and Dale Tuttle re: 30(b)(6) notice; office conference with Phil Elbert re: timeline; | 0.50 |
| 01/14/2010 PNE | Receive, review and respond to multiple e-correspondence from Dale Tuttle; | 3.50 |
| 01/15/2010 PNE | Telephone conferences with Dale Tuttle and Jim Freeman; work on discovery issues; telephone conference with Jim Wilkes re: discovery issues and preparation of motion for summary judgment; review draft pleadings; work on motion for protective order; | 1.50 |
| 01/18/2010 PNE | Review proposed amended complaint; review brief in support; review correspondence re: discovery issues; review expense itemization; e-correspondence to Dale Tuttle; telephone conference with Dale Tuttle; e-correspondence to Tom Clary; | 0.75 |
| 01/18/2010 PNE | Telephone conference with Tom Clary; | 3.50 |
| 01/18/2010 JHW | Review deposition transcripts; | 3.25 |
| 01/18/2010 JDB | Prepare case timeline; | 0.50 |
| 01/19/2010 PNE | Office conference with Jonathan Wardle; e-correspondence with Jim Freeman; | 0.25 |
| 01/19/2010 JHW | Conference with Phil Elbert; | 0.25 |
| 01/19/2010 JHW | Review motion to amend answer; | 1.50 |
| 01/19/2010 JDB | File maintenance; | 0.25 |
| 01/20/2010 PNE | E-correspondence with Dale Tuttle; | 0.25 |
| 01/20/2010 JHW | Work on motion for protective order; review e-mails; | 6.50 |
| 01/21/2010 PNE | Telephone conference with Barbara Sause; meeting in Columbia, Tennessee with Billy Fleming, Dale Tuttle and Jackie Brawner; out of office conference with Dale Tuttle and Jackie Brawner; review documents; return to Nashville; | 1.50 |
| 01/21/2010 JHW | Revise motion for protective order; | 6.00 |
| 01/21/2010 JDB | Out of office interview of expert Billy Fleming in Columbia, Tennessee with Dale Tuttle and Phil Elbert; | 0.50 |
| 01/22/2010 PNE | Office conferences with Jackie Brawner and Jonathan Wardle; prepare motion for and memorandum in support of protective order; | 0.25 |
| 01/22/2010 JHW | Review December 5 fax letter; | 0.50 |
| 01/22/2010 JDB | Enter scheduling deadlines; | 0.25 |
| 01/22/2010 JDB | E-mails with Dale Tuttle re: expert deposition schedule; | 3.50 |
| 01/23/2010 JDB | Summarize deposition of Lisa Circeo; | 3.50 |
| 01/24/2010 JDB | Summarize deposition of Lisa Circeo; e-mail to Jonathan Wardle re: research needed by Phil Elbert; | 0.50 |
| 01/25/2010 PNE | Review information re: potential experts; | 6.50 |
| 01/25/2010 JDB | Lexis research re: Whitton v. Hoover; e-mail to Jonathan Wardle re: legal research re: ethics on advanced costs; prepare case timeline; e-mail to Fay re: documents from underlying cases; | |

Wilkes & McHugh P.A.
Re: Sullivan

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| | | |
|----------------|---|-------|
| | prepare deposition summary of Lisa Circeo; prepare cast of characters; review of e-mails attached as exhibits to Lisa Circeo's deposition; | |
| 01/26/2010 PNE | Case analysis; office conference with Jonathan Wardle re: motion for protective order and supporting affidavit; | 1.00 |
| 01/26/2010 PNE | Travel to Memphis to meet with Dale Tuttle to work on discovery issues and expert disclosures; telephone conference with Jonathan Wardle re: motion for protective order and affidavit of Dale Tuttle; e-correspondence with Dale Tuttle; | 3.50 |
| 01/26/2010 EST | Conference with Phil Elbert re: motion for summary judgment and motion for protective order; | 0.50 |
| 01/26/2010 JHW | Conference with Phil Elbert; work on motion for protective order, brief; | 4.25 |
| 01/26/2010 JDB | Telephone conference with Hickman County Circuit Clerk; legal research re: copy fees for medical records; prepare CV of William Fleming; e-mail to Phil Elbert and Dale Tuttle re: same; calendar pretrial deadlines; web research re: plaintiff's and defendant's experts; organize expert witness files; e-mail to Phil Elbert re: settlement negotiations; travel to Memphis with Phil Elbert to prepare expert reports and review documents with Dale Tuttle; | 7.75 |
| 01/27/2010 PNE | Out of office conference with Jackie Brawner and Dale Tuttle re: expert disclosures, response to plaintiff's motion to compel 30.02(6) deposition, and protective order; return travel from Memphis to Nashville; telephone conference with Cameron Jehl; | 12.00 |
| 01/27/2010 JHW | Work on motion for protective order, brief; research re: ethical rules and cutting expenses; | 2.50 |
| 01/27/2010 JDB | Out of office conference with Phil Elbert and Dale Tuttle; prepare expert disclosures and response to Plaintiff's Motion to Compel and for Protective Order; return travel from Memphis to Nashville; | 12.00 |
| 01/28/2010 PNE | E-correspondence with Jim Freeman; prepare motion and memorandum re: protective order; | 2.50 |
| 01/28/2010 JDB | Prepare for conference call with Phil Elbert, Jim Freeman and Dale Tuttle; prepare cast of characters; | 3.00 |
| 01/28/2010 JDB | E-mail draft pleadings to Jim Freeman and Dale Tuttle; | 0.25 |
| 01/29/2010 PNE | Telephone conferences with Cameron Jehl; e-correspondence with Cameron Jehl; | 0.50 |
| 01/29/2010 JHW | Research re: ethical rules governing waiver of expenses, and e-mail Phil Elbert re: same; | 0.50 |
| 02/01/2010 PNE | E-correspondence with Dale Tuttle; review draft pleadings; review expert disclosures; | 0.50 |
| 02/01/2010 JDB | E-mail to Phil Elbert re: expert disclosures and expert depositions; e-mails with Dale Tuttle re: revisions to Motion for Protective Order; | 0.50 |
| 02/02/2010 PNE | E-correspondence with Cameron Jehl; telephone conferences with Jim Freeman and Dale Tuttle re: expert disclosures; | 0.75 |
| 02/02/2010 PNE | Prepare Motion and Memorandum re: discovery issues; multiple | 3.00 |

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| | | telephone conferences with Dale Tuttle; | |
| 02/02/2010 | JDB | Conference call with Phil Elbert and Cameron Jehl re: affidavit of 30.02(6) representative; prepare expert notebook for Phil Elbert; e-mail to Dale Tuttle and Fay re: exhibits; | 2.25 |
| 02/03/2010 | PNE | Prepare answers to 30.02 (6) topics; | 0.50 |
| 02/04/2010 | PNE | Review documents; conferences with Dale Tuttle and Cameron Jehl; prepare responses to 30.02(6) topics; work on discovery dispute issues; | 11.00 |
| 02/04/2010 | JDB | Assemble documents for Phil Elbert use re: Jehl affidavit; assist with preparation of sworn statement of Jehl; | 1.00 |
| 02/04/2010 | JDB | Prepare deposition exhibit notebook; | 0.50 |
| 02/05/2010 | PNE | E-correspondence re: discovery issues; telephone conferences with Dale Tuttle, Tom Clary and Cameron Jehl; prepare Cameron's affidavit re: responses to 30.02(6) topics; conferences with Jonathan Wardle re: motion for summary judgment and analysis of case law; | 5.75 |
| 02/05/2010 | JHW | Conference with Phil Elbert; | 0.25 |
| 02/05/2010 | JDB | Office conference with Phil Elbert re: sworn statement of 30.02(6) representative; assemble exhibits re: same; conference call with Phil Elbert and Cameron Jehl re: same; prepare transmittal letter re: same; to Nolan from Dale Tuttle's office; review of Reddick's deposition exhibits; review of file re: hotel expenses and investigator expenses; telephone conference with Fay Davis re: exhibits to Plaintiff's 30.02(6) Notice; conference call with Phil Elbert and Tom Clary; e-mail to Cameron Jehl and Dale Tuttle re: response to Topic 18; | 4.75 |
| 02/06/2010 | PNE | Work on discovery dispute issues; | 3.75 |
| 02/08/2010 | PNE | Telephone conferences with Dale Tuttle and his associate; e-correspondence; office conferences with Jackie Brawner; review reply brief filed by Plaintiff's counsel; office conferences with Jonathan Wardle and Elizabeth Tipping re: summary judgment issues; telephone conference with Phil Freidin re: defense of depositions; | 3.75 |
| 02/08/2010 | PNE | Review proposed order; e-mail with Dale Tuttle re: same; | 0.50 |
| 02/08/2010 | EST | Telephone conference with Phil Elbert re: motion for summary judgment; | 0.25 |
| 02/08/2010 | JHW | Conference with Phil Elbert; review briefs re: protective order; | 0.75 |
| 02/08/2010 | JDB | Prepare chronology of all discovery disputes; office conference with Phil Elbert re: same; | 7.50 |
| 02/08/2010 | JDB | E-mails with Phil Elbert re: deposition schedule; e-mails with Dale Tuttle and Fay Davis re: documents needed; | 0.50 |
| 02/09/2010 | PNE | Work on scheduling of depositions and resolving discovery dispute; telephone conferences with Dale Tuttle; | 0.50 |
| 02/09/2010 | PNE | Receive, review and respond to e-correspondence from Jackie Brawner; | 0.25 |
| 02/09/2010 | JHW | Work on motion for summary judgment; research re: damages issues, TCPA claims for legal malpractice; conference with Phil | 6.75 |

Wilkes & McHugh P.A.
Re: Sullivan

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| | | |
|----------------|---|-------|
| | Elbert; | |
| 02/09/2010 JDB | E-mail to Dale Tuttle, Fay Davis and Tom Clary re: exhibits to 30.02(6) notice and e-mails produced; e-mail to Phil Elbert re: lien bills to be subpoenaed; | 0.50 |
| 02/10/2010 PNE | Telephone conferences with Jim Freeman and Dale Tuttle; review multiple items of e-correspondence and respond to same; e-correspondence with Tom Clary; work on resolving discovery dispute; e-correspondence with Jackie Brawner re: same; | 1.50 |
| 02/10/2010 EST | Conference with Jonathan Wardle re: motion for summary judgment; | 0.25 |
| 02/10/2010 JHW | Work on Motion for Summary Judgment; telephone conference with Phil Elbert; | 5.00 |
| 02/10/2010 JDB | Review and file communications between counsel re: agreed order on depositions of Jim Wilkes and 30.02(6) representative; e-mail to Phil Elbert re: subpoena for lien bills; | 0.75 |
| 02/11/2010 PNE | Telephone conferences with Dale Tuttle; e-correspondence with Jonathan Wardle re: preparation of motion for summary judgment; multiple e-correspondence with Dale Tuttle and Jackie Brawner re: resolution of discovery issues, scheduling matter and documents; | 1.50 |
| 02/11/2010 JHW | Work on Motion for Summary Judgment; review affidavits of C. J. Gideon, R. E. Lee Davies, and Douglas T. Bates; | 4.50 |
| 02/12/2010 JDB | Prepare letter to Nolan and Burnstein re: Notice of Appearance of Phil Elbert; prepare Notice of Appearance; prepare e-mail to opposing counsel re: same; | 0.75 |
| 02/14/2010 PNE | Legal research; prepare for deposition; e-correspondence with Dale Tuttle; | 2.50 |
| 02/15/2010 PNE | Review documents, deposition testimony and materials; review expert opinions and, in particular, affidavit of C. J. Gideon; work on questions for deposition; office conferences with Jackie Brawner and Jonathan Wardle re: assistance in preparing for Gideon deposition; telephone conferences with Jim Wilkes and Jim Freeman; telephone conference with Dale Tuttle; | 11.00 |
| 02/15/2010 EST | Conference with Phil Elbert re: motion for summary judgment; | 0.25 |
| 02/15/2010 JHW | Conference with Phil Elbert; | 2.50 |
| 02/15/2010 JDB | E-mail to Dale Tuttle re: transcripts of expert depositions; conference call with Phil Elbert and Cameron Jehl re: C.J. Gideon's deposition; conference call with Phil Elbert and Kathleen Knight; e-mail to Linda Burke re: Lexis search on C.J. Gideon; research closed files re: Lisa Sims case re: C.J. Gideon; prepare for deposition of expert C.J. Gideon; prepare notebook re: other cases involving C.J. Gideon; itemize settlement statement; | 8.00 |
| 02/15/2010 CTM | Research and request Gideon article in preparation for deposition; | 1.00 |
| 02/16/2010 PNE | Office conference with Dale Tuttle; telephone conferences with Dale Tuttle; conference with Jonathan Wardle re: expert opinions and C. J. Gideon deposition; work on legal analysis for motion for summary judgment; | 2.50 |
| 02/16/2010 JHW | Conference with Phil Elbert; prepare for deposition of C.J. Gideon; | 4.50 |

Wilkes & McHugh P.A.
Re: Sullivan

Invoice # 1021528 Page 7
10572 - 16519

| | | | |
|------------|-----|--|-------|
| | | work on motion for summary judgment; research re: treble damages; review article by C.J. Gideon re: countersuits by doctors; | |
| 02/16/2010 | JDB | Prepare for deposition of C.J. Gideon; | 1.00 |
| 02/17/2010 | EST | Conference with Phil Elbert re: motion for summary judgment; conference with Jonathan Wardle re: same; | 0.50 |
| 02/17/2010 | JHW | Work on motion for summary judgment; conference with Phil Elbert; | 1.50 |
| 02/17/2010 | JDB | E-mail to Phil Elbert re: setting expert deposition dates; | 0.25 |
| 02/17/2010 | JDB | Telephone conference with Lisa at Stanley Roger's office re: Sims pleadings; | 0.25 |
| 02/18/2010 | EST | Revise motion for summary judgment; conference with Jonathan Wardle re: same; | 1.25 |
| 02/18/2010 | JHW | Conference with Liz Tipping re: motion for summary judgment; | 0.25 |
| 02/19/2010 | EST | Conferences with Jonathan Wardle; research re: FTC cases; review pleadings filed by plaintiff for theories; telephone conference with Phil Elbert re: motion for summary judgment; | 2.50 |
| 02/19/2010 | JHW | Work on motion for summary judgment; conference with Liz Tipping | 5.75 |
| 02/19/2010 | JDB | E-mail to Fay Davis re: exhibits to expert and deposition transcript; | 0.25 |
| 02/20/2010 | EST | Review various pleadings for background for motion for summary judgment; | 1.50 |
| 02/20/2010 | JHW | Exchange e-mails with Liz Tipping and Phil Elbert re: motion for summary judgment; | 0.25 |
| 02/21/2010 | EST | Review various pleadings for background for motion for summary judgment; | 1.50 |
| 02/22/2010 | EST | Conference with Phil Elbert re: motion for summary judgment; review pleadings for background for motion for summary judgment; review Sullivan deposition transcript; | 5.75 |
| 02/22/2010 | JHW | Work on motion for summary judgment; research re: punitive damages and multiple damages; conference with Phil Elbert; | 5.25 |
| 02/23/2010 | PNE | Long office conference with Elizabeth Tipping re: motion for summary judgment; | 2.00 |
| 02/23/2010 | EST | Research re: motion for summary judgment; conference with Phil Elbert re: same; research re: consumer protection act for motion for summary judgment; | 11.25 |
| 02/23/2010 | JDB | E-mail to Dale Tuttle re: supporting lien bills from Nolan; review of related documents; | 0.50 |
| 02/24/2010 | EST | Research re: motion for summary judgment; conference with Jonathan Wardle re: motion for summary judgment; | 3.50 |
| 02/24/2010 | JHW | Conference with Liz Tipping re: motion for summary judgment; | 0.25 |
| 02/24/2010 | JDB | E-mail to Phil Elbert re: deadline to complete expert depositions; office conference with Phil Elbert re: requirements for medical lien documents; e-mails with Dale Tuttle re: same; telephone conference with Cameron Jehl re: same; | 1.25 |
| 02/26/2010 | PNE | Telephone conferences with Jim Wilkes, Jim Freeman and Dale | 0.75 |

Wilkes & McHugh P.A.
Re: Sullivan

Invoice # 1021528 Page 8
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| | | |
|----------------|---|-------|
| | Tuttle re: issues regarding staffing of Sullivan case and preparation for upcoming depositions; | |
| 02/26/2010 PNE | Review draft motion for summary judgment; office conferences with Jonathan Wardle; long office conferences with Elizabeth Tipping re: preparation of motion for summary judgment; | 1.50 |
| 02/26/2010 EST | Conference with Phil Elbert re: motion for summary judgment; | 0.50 |
| 02/26/2010 JDB | E-mail to Dale Tuttle and Fay Davis re: exhibits to expert depositions; | 0.25 |
| 02/28/2010 PNE | Review and respond to e-correspondence from Dale Tuttle; telephone conference with Dale Tuttle re: upcoming depositions and staffing in Sullivan case; | 0.50 |
| 03/01/2010 PNE | Multiple telephone conferences with Phil Freidin; long telephone conference with Phil Freidin re: facts of Sullivan case and upcoming depositions; e-correspondence to Phil Freidin enclosing copies of deposition transcripts and other information; telephone conference with Jim Wilkes; office conference with Jackie Brawner; e-correspondence to Dale Tuttle re: preparation for upcoming depositions; review selected pleadings regarding plaintiff's theories; work on summary judgment motion; | 2.50 |
| 03/01/2010 JGT | Conference with Phil Elbert re: questions concerning Sixth Circuit; | 0.25 |
| 03/01/2010 JHW | Conference with Phil Elbert re: telephone call with Phil Frieden; | 0.25 |
| 03/01/2010 JDB | Prepare for depositions of Cameron Jehl (30.02(6) representative) and Jim Wilkes; e-mails with Dale Tuttle's office re: same; voicemail message to Cameron Jehl re: same; | 7.25 |
| 03/02/2010 PNE | Telephone conference with Phil Freidin re: upcoming depositions and potential for settlement of Sullivan case; | 0.25 |
| 03/02/2010 PNE | Meeting with Cameron Jehl in Memphis, Tennessee re: preparation for his deposition as 30.02 (6) witness; telephone conferences with Dale Tuttle; telephone conferences with Cameron Jehl; meeting with Tom Clary re: documents produced in case; | 5.50 |
| 03/02/2010 JDB | E-mail deposition transcripts to Cameron Jehl; prepare deposition binders; travel to Memphis, TN with Phil Elbert for deposition of Cameron Jehl; deposition preparation with Phil Elbert, Dale Tuttle, Tom Clary and Cameron Jehl at Dale Tuttle's office; | 10.50 |
| 03/03/2010 PNE | Deposition preparation with Dale Tuttle and Cameron Jehl; defend deposition of Cameron Jehl as 30.02 (6) witness; follow-up office conferences with Dale Tuttle, Cameron Jehl and Jackie Brawner; organization of documents for transport back to Nashville office and to Tampa, Florida; return to Nashville; long telephone conference with Jim Wilkes re: preparation for his deposition; telephone conferences with Elizabeth Tipping re: Motion for Summary Judgment; | 11.50 |
| 03/03/2010 EST | Telephone conferences with Phil Elbert re: motion for summary judgment; draft e-mail to Phil Elbert re: research on out-of-pocket expenses; research re: ethical duty in settlements; | 1.25 |
| 03/03/2010 CNF | Research re: attorneys' fees and settlement; | 1.00 |

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| 03/03/2010 | JHG | Legal research re: definition of out-of-pocket expenses; | 1.00 |
| 03/03/2010 | JDB | Deposition preparation with Cameron Jehl; prepare itemization of medical liens; prepare itemization of expenses; e-mails with Kathleen Knight re: sending documents for Jim Wilkes' deposition via FedEx; return travel from Memphis to Nashville; | 8.25 |
| 03/04/2010 | PNE | Travel to Tampa, Florida; meetings with Jim Freeman and Jim Wilkes; follow-up conference with Dale Tuttle re: preparation for Jim Wilkes' deposition and further handling of Sullivan case; | 7.50 |
| 03/04/2010 | EST | Research re: deadline to file motions for summary judgment; | 0.25 |
| 03/04/2010 | JDB | Travel to Tampa, Florida with Phil Elbert for deposition of Jim Wilkes; review of deposition transcript of Mr. Sullivan; office conference with Phil Elbert re: same; deposition preparation with Jim Wilkes, Phil Elbert and Dale Tuttle; out of office conference with Jim Freeman, Phil Elbert and Dale Tuttle; | 8.25 |
| 03/05/2010 | PNE | Meeting with Jim Freeman and Dale Tuttle; defend Jim Wilkes' deposition; follow-up conferences with Jim Wilkes and Jim Freeman; telephone conferences with Cameron Jehl; return to Nashville, Tennessee; conference with Nolan at airport; | 12.00 |
| 03/05/2010 | EST | Research for motion for summary judgment; draft memorandum in support of motion for summary judgment; | 3.25 |
| 03/05/2010 | JHW | Conference with Liz Tipping re: motion for summary judgment; | 0.25 |
| 03/05/2010 | JDB | Out of office conference with Barbara Sause, Gina and Kate at Wilkes & McHugh offices re: review of settlement statement and back up; additional out of office conference with Barbara Sause re: e-mails after trial; prepare spreadsheet re: expenses from settlement statement; return travel from Tampa to Nashville; | 12.00 |
| 03/06/2010 | EST | Research for motion for summary judgment; draft memorandum re: motion for summary judgment; | 3.00 |
| 03/07/2010 | PNE | E-correspondence with Phil Freidin re: deposition of Jim Wilkes; | 0.25 |
| 03/08/2010 | PNE | Review of file; work on mediation statement; | 1.00 |
| 03/08/2010 | PNE | E-correspondence with Dale Tuttle re: potential for mediation; review of demand letter from Nolan; forward same to Jim Freeman and Phil Freidin; | 0.50 |
| 03/08/2010 | EST | Draft memorandum in support of motion for summary judgment; conferences with Phil Elbert re: same; | 5.50 |
| 03/08/2010 | JHW | Review letter re: settlement demand, and send e-mail to Liz Tipping re: same; | 0.25 |
| 03/08/2010 | JDB | E-mail to Jim Freeman re: correspondence between Dale Tuttle and Brent Rawlings; | 0.25 |
| 03/09/2010 | PNE | Prepare mediation statement; | 2.00 |
| 03/09/2010 | EST | Draft memorandum in support of motion for summary judgment; | 1.00 |
| 03/10/2010 | PNE | Review multiple e-mails from plaintiff's counsel and return correspondence from Dale Tuttle; e-correspondence with Dale Tuttle; | 0.50 |
| 03/10/2010 | EST | Conference with Phil Elbert re: motion for summary judgment; draft memorandum in support of motion for summary judgment; | 3.00 |

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| 03/10/2010 | JDB | E-mail to Dale Tuttle re: reservation of rights letter and policy; | 0.25 |
| 03/11/2010 | EST | Draft memorandum in support of motion for summary judgment; conferences with Phil Elbert re: same; | 4.25 |
| 03/11/2010 | JDB | E-mail to Kathleen Knight re: insurance policy; | 0.25 |
| 03/13/2010 | EST | Revise motion for summary judgment; e-mail to Dale Tuttle re: same; | 0.50 |
| 03/15/2010 | EST | Research for motion for summary judgment; draft memorandum in support of motion for summary judgment; | 3.50 |
| 03/15/2010 | JDB | Organize exhibits to expert depositions of Bates & Davies; e-mail to Phil Elbert re: medical lien; | 1.00 |
| 03/16/2010 | PNE | Receive, review and respond to multiple e-correspondence with Dale Tuttle; prepare for mediation; e-correspondence with Jackie Brawner; review of information re: medicare liens asserted and unasserted in underlying case; | 1.00 |
| 03/16/2010 | EST | Research for motion for summary judgment; draft and revise memorandum in support of motion for summary judgment; | 13.50 |
| 03/16/2010 | JHW | Conference with Liz Tipping re: motion for summary judgment; research re: legal malpractice where no damages awarded at trial; | 1.50 |
| 03/16/2010 | JDB | E-mails with Dale Tuttle re: expert deposition scheduled; | 0.25 |
| 03/17/2010 | PNE | E-correspondence with Elizabeth Tipping; review and work on finalization of motion for summary judgment; | 1.75 |
| 03/17/2010 | EST | Conference with Jonathan Wardle re: motion for summary judgment; e-mails with Phil Elbert and Dale Tuttle re: motion for summary judgment; revise memorandum in support of motion for summary judgment; e-mails with Jonathan Wardle and Phil Elbert re: same; | 1.25 |
| 03/17/2010 | JHW | Work on motion for summary judgment; find supporting factual citations from the record; research re: legal malpractice for failure to recommend settlement; conferences and e-mails with Liz Tipping; | 10.25 |
| 03/17/2010 | JDB | Prepare itemization spreadsheet of expenses; | 1.00 |
| 03/18/2010 | PNE | Analysis of case; preparation of motion for summary judgment; | 1.25 |
| 03/18/2010 | EST | Conferences with Jonathan Wardle re: motion for summary judgment; revise memorandum in support of motion for summary judgment; telephone conferences with Phil Elbert re: same; conference with Chandra Flint re: same; e-mails with all defense counsel re: same; | 4.00 |
| 03/18/2010 | JHW | Work on motion for summary judgment and statement of material facts; conferences with Liz Tipping re: same; | 4.75 |
| 03/18/2010 | JDB | Prepare spreadsheet of categorized expenses; office conference with Phillip Hampton re: table conversions; | 2.00 |
| 03/19/2010 | EST | Revise memorandum in support of motion for summary judgment; revise notice of filing; revise statement of undisputed facts; conferences with Jonathan Wardle re: filing; conferences with Chandra Flint re: filing; finalize pleadings for filing; telephone conferences with Tom Clary re: memorandum in support of | 7.50 |

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| | | motion for summary judgment; e-mails with Dale Tuttle, Tom Clary, Phil Elbert, Jonathan Wardle, and Jackie Brawner re: memorandum in support of motion for summary judgment; | |
| 03/19/2010 | CNF | Assist with finalizing Motion for Summary Judgment and preparing same for filing; | 5.00 |
| 03/19/2010 | JHW | Work on and file motion for summary judgment, statement of undisputed material facts, notice of filing; | 5.25 |
| 03/19/2010 | JDB | E-mails with Elizabeth Tipping re: Motion for Summary Judgment; review of medical lien fees; office conference with Jonathan Wardle re: medical liens; office conference with Elizabeth Tipping re: same; review of inventory of 67 boxes of underlying case files; e-mails to Elizabeth Tipping re: same; | 1.50 |
| 03/19/2010 | JDB | Prepare spreadsheet of expenses charged and written-off; review of Defendant's Motion for Summary Judgment; file maintenance; | 1.25 |
| 03/20/2010 | JHW | Review filings for accuracy re: transcript cites; e-mail Liz Tipping re: same; | 1.75 |
| 03/22/2010 | EST | Conference with Jonathan Wardle re: supplemental filing; review pleadings from Bart Durham malpractice action; | 1.00 |
| 03/22/2010 | JHW | Work on supplemental notice of filing; conference with Liz Tipping re: same; | 1.00 |
| 03/22/2010 | JDB | Telephone conference with Debbie Watson re: deposition transcripts for Davies, Bates and Gideon; prepare notebook of deposition exhibits; review of index re: same; e-mail to Dale Tuttle re: all charts re: expenses; | 1.00 |
| 03/23/2010 | PNE | E-correspondence to Dale Tuttle; conference with Jim Wilkes; | 0.50 |
| 03/23/2010 | EST | Telephone conference with Phil Elbert re: jury demand; research re: jury demand; e-mail Phil Elbert re: same; revise supplemental notice of filing; | 0.75 |
| 03/23/2010 | JHW | Finalize and file Supplemental Notice of Filing; | 1.00 |
| 03/23/2010 | JDB | Prepare for mediation re: Spencer & Martin; e-mails with Debbie Watson re: signature pages for expert deposition transcripts; | 0.75 |
| 03/24/2010 | PNE | Telephone conferences with Cameron Jehl and Dale Tuttle re: negotiations; review e-correspondence; | 0.50 |
| 03/25/2010 | PNE | Review e-correspondence; telephone conference with Dale Tuttle; | 0.50 |
| 03/26/2010 | EST | Conference with Phil Elbert re: revising statement of undisputed facts; | 0.25 |
| 03/26/2010 | JHW | Conference with Phil Elbert and Liz Tipping re: supplemental statement of facts; | 0.25 |
| 03/29/2010 | PNE | Telephone conference with Dale Tuttle; e-correspondence with Dale Tuttle; | 0.50 |
| 03/29/2010 | EST | Review motion for sanctions and memorandum in support; | 0.25 |
| 03/30/2010 | PNE | Long telephone conference with Dale Tuttle; review motion and memo filed by Plaintiffs for sanctions; telephone conference with Jim Freeman; e-mail to Jim Freeman; office conference with Elizabeth Tipping re: response to motion for sanctions; | 1.75 |
| 03/30/2010 | EST | Review motion to set expert depositions; draft and revise response | 7.00 |

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| | to motion to set expert depositions; conference with Jonathan Wardle re: motion for sanctions; conference with Phil Elbert re: responses to motions; research re: motion for sanctions; review deposition of Jim Wilkes; draft response to motion for sanctions; | |
| 03/30/2010 JHW | Review motions for sanctions and to set expert depositions; conference with Liz Tipping re: same; | 1.25 |
| 03/30/2010 JDB | E-mail to Phil Elbert re: demonstrative exhibits for expert depositions; | 0.25 |
| 03/31/2010 PNE | Work on response to motion for sanctions; review order from court; office conference with Elizabeth Tipping; multiple telephone conferences with Dale Tuttle; review draft briefs written by Dale Tuttle's office; review e-mail history; review caselaw cited in motion for summary judgment in anticipation of conference call with Court; prepare list of potential witnesses in preparation for conference call with Court; | 3.50 |
| 03/31/2010 EST | Research for response to motion for sanctions; telephone conference with Tom Clary re: same; draft and revise response to motion for sanctions; conferences with Phil Elbert re: responses; telephone conferences with Phil Elbert and Dale Tuttle re: responses; | 7.00 |
| 03/31/2010 JHW | Review draft Responses from Dale Tuttle; conference with Liz Tipping re: same; | 0.50 |
| 04/01/2010 PNE | Review Tennessee Consumer Protection Act caselaw; conference with Elizabeth Tipping; prepare responses to Plaintiff's discovery; telephone conference with Dale Tuttle re: mediation schedule; telephone conference with Kathleen Knight; conference with Elizabeth Tipping re: issues regarding discovery motions; prepare for conference call with Judge Bivins; telephone conference with Dale Tuttle; conference call with Judge Bivins; follow-up telephone conference with Dan Nolan and Julie Bernstein re: Court-ordered mediation; | 2.00 |
| 04/01/2010 EST | Revise response to motion for sanctions; revise response to motion to set; conferences with Phil Elbert re: responses and court conference call; telephone conferences with Phil Elbert and Dale Tuttle; telephone conference with court and all counsel; telephone conference with Phil Elbert, George Nolan and Julie Bernstein; telephone conference with Phil Elbert and Kathleen Knight re: status update; | 5.00 |
| 04/01/2010 JDB | E-mail to Elizabeth Tipping re: arrangements for conference call with court; | 0.25 |
| 04/02/2010 PNE | E-correspondence with Dale Tuttle and George Nolan re: mediation arrangements; | 0.25 |
| 04/02/2010 JDB | E-mail to Phil Elbert re: mediation scheduling; telephone conference with John Branham and Lew Conner's office re: mediation schedule; e-mail to all counsel re: same; prepare notebook for hearings on Motion for Sanctions and Motion to Set Expert Depositions; | 1.25 |

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| 04/05/2010 | PNE | E-mail to Dale Tuttle; telephone conferences with Dale Tuttle; office conference with Elizabeth Tipping; | 1.00 |
| 04/05/2010 | EST | Telephone conferences with Phil Elbert and Dale Tuttle re: hearing on plaintiffs' motions; conference with Phil Elbert re: motion for summary judgment and hearing; e-mails to Phil Elbert re: hearing; | 1.00 |
| 04/06/2010 | PNE | Review pleadings and prepare for hearing on discovery sanctions; travel to Centerville, Tennessee; conference with George Nolan; conferences with Dale Tuttle; argue motions; telephone conferences with Jim Wilkes; return to Nashville; | 6.50 |
| 04/06/2010 | EST | Conference with Phil Elbert and Dale Tuttle re: hearing on motion for sanctions; | 0.50 |
| 04/07/2010 | EST | Review transcript of hearing on motion for sanctions; conference with Phil Elbert re: mediation and motion for summary judgment; | 0.50 |
| 04/07/2010 | JHW | Review transcript of hearing re: motion for sanctions; conference with Liz Tipping re: same; | 0.50 |
| 04/08/2010 | PNE | Review correspondence; e-correspondence with client re: mediation; conference with Dale Tuttle re: settlement conference statement; | 0.25 |
| 04/08/2010 | EST | Conference with Phil Elbert re: mediation; | 0.25 |
| 04/12/2010 | PNE | Telephone conference with Dale Tuttle; | 0.25 |
| 04/12/2010 | JDB | Voicemail message to Mary at Lew Connors' office; telephone conference with Fay Davis; e-mail to Phil Elbert; | 0.75 |
| 04/13/2010 | PNE | E-correspondence with Dale Tuttle; | 0.25 |
| 04/13/2010 | PNE | Telephone conference with Tom Corts re: respectfully declining to agree to Motion to Extend Time; | 0.25 |
| 04/13/2010 | PNE | Meet with Mr. Higgins re: deposition preparation; telephone conference with Dale Tuttle; | 2.75 |
| 04/13/2010 | PNE | Telephone conferences with Dale Tuttle re: Higgins deposition; | 0.25 |
| 04/13/2010 | JDB | E-mail to Fay Davis re: invoice for Jehl deposition; e-mail timeline to Carl Braun; | 0.50 |
| 04/14/2010 | PNE | Prepare for deposition; deposition of Jim Higgins; prepare Billy Fleming for deposition; deposition of Billy Fleming; telephone conferences with Dale Tuttle; | 8.75 |
| 04/14/2010 | PNE | Office conference with Elizabeth Tipping re: former Wilkes & McHugh employee she had spoken with; | 0.25 |
| 04/14/2010 | PNE | Case analysis; long office conference with Elizabeth Tipping; | 1.00 |
| 04/14/2010 | EST | Conference with Claudia Richardson re: employment at Wilkes & McHugh; conference with Phil Elbert re: same, depositions of Higgins & Fleming, and research needed for trial; | 2.00 |
| 04/14/2010 | JDB | Review of e-mails re: reference to Jim Higgins; telephone conference with Rachel at Ken Connor's office re: hotel accommodations; e-mail to Dale Tuttle and Phil Elbert re: same; | 1.25 |
| 04/15/2010 | PNE | Review correspondence from Jim Higgins; e-correspondence with Karl Braun and Dale Tuttle; review Sullivan contract with Higgins firm; telephone conference with Jim Freeman re: same; | 1.25 |
| 04/15/2010 | EST | Conference with Phil Elbert re: Higgins contract and research | 0.50 |

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| | | needed for trial; | |
| 04/15/2010 | JDB | Telephone conference with Williamson Chancery Court re: certified probate pleadings; voice mail message to Jim Higgins re: obtaining fee agreement; | 0.50 |
| 04/16/2010 | EST | Conference with Jonathan Wardle re: research on comparative fault; | 0.25 |
| 04/16/2010 | JHW | Conference with Liz Tipping; | 0.25 |
| 04/17/2010 | PNE | Review probate file; prepare chronology of pertinent events; | 0.75 |
| 04/20/2010 | PNE | Office conference with Jonathan Wardle re: research of standard of care and scope of duty issues; multiple telephone conferences with Dale Tuttle; work on mediation statement; prepare chronology of events; | 4.25 |
| 04/20/2010 | EST | Conferences with Phil Elbert re: mediation statement; | 0.50 |
| 04/20/2010 | JHW | Research re: raising comparative fault of previously named party; conference with Phil Elbert; | 1.75 |
| 04/20/2010 | JDB | Update case timeline; | 4.75 |
| 04/21/2010 | PNE | Long telephone conference with Jim Wilkes; telephone conference with Jim Freeman; office conference with Elizabeth Tipping; prepare settlement conference statement; review documents re: expert disclosures; travel to Washington, D.C. for deposition preparation; meeting with Dale Tuttle; | 5.75 |
| 04/21/2010 | EST | Revise draft mediation statement for Dale Tuttle; conferences with Phil Elbert re: same; review draft response to motion for summary judgment; draft separate mediation statement; | 4.50 |
| 04/21/2010 | JHW | Work on memo to Phil Elbert re: pleading comparative fault; research re: comparative fault and duty analysis; | 1.50 |
| 04/21/2010 | JDB | Prepare case timeline; assemble attachment to case timeline; office conference with Phil Elbert re: same; deposition preparation re: Ken Connor; | 7.50 |
| 04/22/2010 | PNE | Review documents; meeting with Dale Tuttle; travel to Ken Conner's office; meeting with Ken Conner in preparation for his deposition; return to Nashville; | 9.50 |
| 04/22/2010 | EST | Draft and revise mediation statement; review timeline and supporting documents; conferences with Jackie Brawner re: expenses; review transcript of Higgins deposition; | 9.25 |
| 04/22/2010 | JHW | Work on memo to Phil Elbert re: effect of not alleging comparative fault; | 0.25 |
| 04/22/2010 | JDB | Prepare expense charts and calculate expenses incurred as of date of settlement offer; emails with Fay Davis re: underlying amended complaint and other matters related to the timeline; | 5.75 |
| 04/23/2010 | PNE | Office conference with Elizabeth Tipping; prepare mediation statement; telephone conference with mediator's office; | 3.00 |
| 04/23/2010 | EST | Revise mediation statement; conferences with Phil Elbert re: case; | 3.00 |
| 04/23/2010 | JHW | Work on memo to Phil Elbert re: pleading comparative fault; | 1.00 |
| 04/23/2010 | JDB | Review mediation statutes; prepare cover page and appendix re: same; assemble exhibits re: same email with Phillip Hampton re: | 2.75 |

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| | | expense spreadsheets; prepare expense spreadsheets; | |
| 04/24/2010 | PNE | E-correspondence to Dale Tuttle re: mediation statement; finalize mediation statement to be provided to defendants; review draft mediation information prepared by Dale Tuttle's office; | 0.75 |
| 04/24/2010 | EST | Revise mediation statement; e-mails with Phil Elbert and Jackie Brawner re: same; | 2.00 |
| 04/24/2010 | JHW | Work on memo to Phil Elbert re: pleading comparative fault; research re: evidence re: third party conduct when you are not arguing the third party's comparative fault; send e-mail memo to Phil Elbert re: research; | 3.25 |
| 04/24/2010 | JDB | Revise Appendix to Mediation Statement; emails with Liz Tipping re: same; | 0.50 |
| 04/25/2010 | PNE | Review correspondence re: discovery issues; review transcripts of depositions; | 1.00 |
| 04/26/2010 | PNE | Telephone conference with Cameron Jehl re: upcoming mediation; office conferences with Elizabeth Tipping and Jonathan Wardle; finalize settlement conference statement; e-correspondence re: same; review information provided by Dale Tuttle's firm; | 1.00 |
| 04/26/2010 | EST | Revise mediation statement and finalize for John Branham; conferences with Phil Elbert re: same; review Dale Tuttle's mediation statement; review charts from Jackie Brawner; conferences with Jackie Brawner re: same; | 4.00 |
| 04/26/2010 | JHW | Research re: duty, comparative fault; | 3.50 |
| 04/26/2010 | JDB | Revise appendix to Mediation Statement; emails with Liz Tipping re: same; assemble exhibits to Mediation Statement; email same to Jim Freeman; prepare transmitted letter to John Branham; | 3.75 |
| 04/26/2010 | JDB | Prepare expense spreadsheets and charts; emails with Phil Hampton re: same; email to Dale Tuttle re: contact information for John Branham; | 3.75 |
| 04/27/2010 | PNE | Review key cases cited in summary judgment pleading in preparation for mediation; telephone conference with Dale Tuttle; office conference with Elizabeth Tipping; | 1.75 |
| 04/27/2010 | EST | Conferences with Phil Elbert re: mediation and reply to motion for summary judgment; prepare for mediation; review response to motion for summary judgment; begin outline of reply brief; review expense charts by Jackie Brawner; conferences with Jackie Brawner re: same; | 5.25 |
| 04/27/2010 | JHW | Research re: duty to client when entering fee sharing agreement and making payment of expenses contingent in Kentucky; review Response to Motion for Summary Judgment; | 3.50 |
| 04/27/2010 | JDB | Prepare expense spreadsheets and charts; emails with Phil Elbert and Liz Tipping re: same; office conference with Phil Elbert and Liz Tipping re: same; | 3.50 |
| 04/28/2010 | PNE | Meeting with Dale Tuttle and team in preparation for mediation; attend mediation; telephone conferences with Jim Freeman; conferences with Cameron Jehl; | 10.00 |

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| 04/28/2010 | EST | Attend mediation; draft reply brief; | 10.50 |
| 04/28/2010 | JHW | Draft e-mail memo to Liz Tipping re: Response brief; conferences with Leon Wolf re: research re: reasonable charge for copies and attributing intent of low-level employee to corporation; review additional statement of facts and draft e-mail memo to Liz Tipping re: same; | 4.50 |
| 04/28/2010 | LHW | Legal research re: "corporate intent" being judged only by managers, officers and directors; | 2.75 |
| 04/28/2010 | LHW | Legal research re: reasonableness of 25 cents per page copying fee; | 0.75 |
| 04/28/2010 | JDB | Emails to Phil Elbert re: supporting documentation for Medicare lien; emails and telephone call with Fay Edwards re: same; | 0.50 |
| 04/29/2010 | PNE | Telephone conference with Judge Blevins' assistant re: Judge's scheduling of telephonic status conference; long telephone conferences with George Nolan and Julie Bernstein; telephone conferences with Dale Tuttle; telephone conference with Jim Freeman re: settlement negotiations and scheduling of trial; | 1.50 |
| 04/29/2010 | EST | Conference with Phil Elbert re: reply brief and motion to strike; telephone conference with Phil Elbert, George Nolan, and Julie Bernstein; conference with Jonathan Wardle re: motion to strike; conference with Phil Elbert re: motion for summary judgment hearing and trial date; | 1.00 |
| 04/29/2010 | JHW | Conference with Liz Tipping re: Response brief, motion to strike, mediation; | 0.50 |
| 04/29/2010 | JDB | Legal research re: Plaintiff's deadlines; telephone call with Joyce at Hickman County Circuit Court; prepare trial schedule; email to Phil Elbert re: same; telephone conference with Liz Tipping re: same; email to Phil Elbert re: supplemental discovery documents to be produced; prepare letter to opposing counsel re: outstanding late filed exhibits; emails with Shannon Sloan and Fay Davis re: missing deposition exhibits; | 2.00 |
| 04/30/2010 | PNE | E-correspondence with Dale Tuttle; | 0.25 |
| 05/01/2010 | JDB | Emails with Shannon Sloan and Fay Davis re: deposition exhibits; prepare trial schedule; review of client late-filed exhibits; | 1.00 |
| 05/03/2010 | PNE | Office conference with Elizabeth Tipping and prepare for conference with court; conference call with Judge Bivins; e-correspondence with Jim Freeman and Dale Tuttle; | 1.00 |
| 05/03/2010 | EST | Office conference with Phil Elbert; telephone conference with Court and all counsel; | 0.50 |
| 05/04/2010 | PNE | Review deposition transcripts; | 0.75 |
| 05/04/2010 | PNE | Review file and prepare for mediation; multiple e-correspondence with Julie Bernstein and Dale Tuttle re: preparation for mediation, plan for discovery and scheduling of hearing on motion for summary judgment in the event mediation fails to resolve case; | 0.75 |
| 05/05/2010 | PNE | E-correspondence with Dale Tuttle and Julie Bernstein; correspondence with Jackie Brawner; work on exhibits for mediation statement; | 1.25 |
| 05/06/2010 | PNE | Work on mediation statement; multiple e-correspondence with | 0.75 |

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| | Julie Bernstein and Dale Tuttle re: scheduling issues and preparation for mediation; analysis of issues to be addressed in mediation; | |
| 05/07/2010 JDB | E-mail to Cameron Jehl re: mediation statement; | 0.25 |
| 05/10/2010 PNE | Finalize mediation statement; | 0.25 |
| 05/11/2010 JDB | E-mail to Dale Tuttle; prepare for meeting with Dale Tuttle re: mediation and trial preparation; | 0.50 |
| 05/12/2010 PNE | Office conference with Elizabeth Tipping re: reply to Plaintiffs' Response to Motion for Summary Judgment; telephone conference with Dale Tuttle; | 0.75 |
| 05/13/2010 PNE | Office conference with Dale Tuttle and Jackie Brawner re: preparation for renewed attempt at mediation and trial preparation; telephone conference with Jim Freeman; | 3.50 |
| 05/13/2010 JDB | Out of office conference with Phil Elbert and Dale Tuttle re: resumed mediation and trial preparation; | 3.50 |
| 05/14/2010 PNE | Telephone conference with Dale Tuttle re: mediation; office conference with Jackie Brawner re: preparation of charts responsive to Plaintiffs' claims regarding expense items; | 0.50 |
| 05/14/2010 EST | Telephone conference with Phil Elbert re: analysis of expenses charged to Sullivan; | 0.25 |
| 05/14/2010 JDB | Office conference with Phil Elbert; prepare charts in response to Plaintiffs' listing of "interesting" expenses; | 1.25 |
| 05/15/2010 JDB | Prepare charts re: "interesting" expenses of note by Plaintiffs; | 8.00 |
| 05/17/2010 PNE | Prepare outline of talking points for mediation; | 0.25 |
| 05/17/2010 EST | Conference with Jonathan Wardle re: reply brief; review plaintiff's response to motion for summary judgment; conference with Phil Elbert re: reply; draft memorandum re: talking points for mediation; | 4.25 |
| 05/17/2010 JHW | Conference with Liz Tipping re: motions; | 0.25 |
| 05/17/2010 JDB | Research detail re: expense items; prepare response to Plaintiffs' "interesting" expense chart and breakdown of expenses incurred as of date of rejection of settlement offer; | 0.50 |
| 05/18/2010 PNE | Telephone conference with Dale Tuttle re: mediation; review expense information; office conference with Jackie Brawner re: analysis of expense items; office conference with Jonathan Wardle re: preparation of order to strike allegations that firm collected illegal fee; | 0.75 |
| 05/18/2010 EST | Conference with Phil Elbert re: mediation and charts analyzing expenses telephone conference with Phil Elbert and Dale Tuttle; | 0.75 |
| 05/18/2010 JDB | Research detail information re: expense items; prepare charts re: expenses; | 0.75 |
| 05/19/2010 PNE | Prepare for mediation; office conference with Jackie Brawner; review information re: expense claims; e-correspondence to Dale Tuttle; telephone conferences with Dale Tuttle; office conference with Elizabeth Tipping re: legal research needed prior to mediation; | 1.00 |

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| 05/19/2010 | EST | Conference with Phil Elbert re: research mediation; | 0.25 |
| 05/19/2010 | JDB | Obtain and review fee petitions filed by Plaintiff's expert, C.J. Gideon, in his firm's cases; office conference with Phil Elbert re: same; office conference with Phil Elbert re: expense charts; prepare for mediation; | 1.50 |
| 05/20/2010 | PNE | Mediation of case; conferences with Jim Freeman, Dale Tuttle, insurance adjuster and mediator; | 8.50 |
| 05/21/2010 | JDB | E-mail to Phil Elbert re: Motion to Set Aside Sanctions; | 0.25 |
| 05/24/2010 | JDB | Review of file re: sanction motions filed by Plaintiffs; | 0.50 |
| 05/25/2010 | PNE | Prepare Motion and Proposed Order re: removal of sanctions; review draft release; office conference with Jonathan Wardle; | 0.50 |
| 05/25/2010 | JHW | Research re: procedure for moving to amend or strike interlocutory order; and conference with Phil Elbert re: same; | 0.50 |
| 06/02/2010 | PNE | Telephone conferences with Jim Freeman and Dale Tuttle; prepare release and order; e-correspondence with Julie Burnstein and Dale Tuttle; review comments to proposed form of release; | 2.75 |
| 06/02/2010 | PNE | Work on Release and Order; | 1.50 |
| 06/03/2010 | PNE | Telephone conferences with Dale Tuttle; review Protective Order re: return or destruction of documents; prepare release; office conference with Jackie Brawner; | 2.00 |
| 06/03/2010 | EST | Revise release and settlement agreement; conference with Phil Elbert re: same; | 0.75 |
| 06/03/2010 | JDB | Prepare settlement agreement and release; e-mail same to Dale Tuttle; | 2.00 |
| 06/04/2010 | PNE | Telephone conference with Julie Burnstein; review correspondence; work on finalizing settlement; revise settlement agreement; letter to Julie Burnstein; telephone conferences with Jim Freidman and Dale Tuttle; | 2.00 |
| 06/07/2010 | PNE | E-correspondence with Dale Tuttle; review final draft of settlement agreement; | 0.50 |
| 06/11/2010 | PNE | E-correspondence with Dale Tuttle re: finalization of settlement; | 0.25 |
| 06/13/2010 | PNE | E-correspondence with Dale Tuttle re: finalization of mutual release with Higgins' firm; | 0.25 |
| 06/14/2010 | PNE | E-correspondence with Dale Tuttle re: negotiations of mutual release for Higgins; | 0.25 |
| 06/15/2010 | PNE | Receive, review and respond to multiple e-correspondence with Dale Tuttle re: finalizing settlement with Higgins' firm; | 0.50 |
| 06/22/2010 | PNE | Telephone conference call with Karl Braun's office re: coordinating execution of settlement agreement; e-mail correspondence re: same; letter to Mr. Braun re: same; | 0.50 |
| 06/23/2010 | PNE | E-correspondence and telephone conference with Jim Freeman; follow-up with Karl Braun and Julie Bernstein re: finalization and execution of documents; | 0.50 |
| 06/29/2010 | EST | Revise letter to Jim Freeman; | 0.25 |
| 06/29/2010 | JDB | Voice mail message to Karl Braun re: execution of settlement agreement; voice mail message to Erika at Karl Braun's office re: | 1.00 |

Wilkes & McHugh P.A.
Re: Sullivan

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same; telephone conference with Karl Braun; prepare letter to Jim
Freeman re: same;

Subtotal for FEE HOURS:

770.50

Wilkes & McHugh P.A.
Re: Sullivan

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FEE SUMMARY:

| | | | | |
|-----------------------|--------|---------|--------|------------|
| Philip N. Elbert | 266.75 | hrs. at | 425.00 | 113,368.75 |
| James G. Thomas | 0.25 | hrs. at | 400.00 | 100.00 |
| Elizabeth S. Tipping | 154.50 | hrs. at | 265.00 | 40,942.50 |
| Chandra N. Flint | 6.00 | hrs. at | 265.00 | 1,590.00 |
| Jonathan H. Wardle | 123.75 | hrs. at | 225.00 | 27,843.75 |
| Jeffrey Howard Gibson | 1.00 | hrs. at | 225.00 | 225.00 |
| Leon H. Wolf | 3.50 | hrs. at | 225.00 | 787.50 |
| Jackie D. Brawner | 213.75 | hrs. at | 140.00 | 29,925.00 |
| Christine T. Marshall | 1.00 | hrs. at | 140.00 | 140.00 |

Total Fees

\$ 214,922.50

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Re: Sullivan

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DISBURSEMENT SUMMARY:

| | |
|----------------------------|--------|
| | 9.90 |
| Copying Expense | 427.93 |
| Lexis period 01/01-31/2010 | 10.00 |
| Copying Expense | 26.20 |
| Copying Expense | 11.10 |
| Copying Expense | 3.30 |
| Copying Expense | 4.86 |
| Fax | 14.58 |
| Fax | 0.10 |
| Copying Expense | 7.90 |
| Copying Expense | 0.40 |
| Copying Expense | 1.08 |
| Fax | 89.10 |
| Copying Expense | 0.10 |
| Copying Expense | 16.80 |
| Copying Expense | 8.10 |
| Copying Expense | 0.10 |
| Copying Expense | 10.30 |
| Copying Expense | 21.70 |
| Copying Expense | 330.70 |
| Lexis period 2/1-28/2010 | 265.56 |
| Lexis period 02/01-28/2010 | 7.30 |
| Copying Expense | 7.90 |
| Copying Expense | 5.50 |
| Copying Expense | 39.20 |
| Copying Expense | 22.00 |
| Copying Expense | 29.60 |
| Copying Expense | 0.40 |
| Copying Expense | 14.40 |
| Copying Expense | 63.60 |
| Copying Expense | 8.00 |
| Copying Expense | 24.50 |
| Copying Expense | 0.10 |
| Copying Expense | 8.10 |
| Copying Expense | 0.10 |
| Copying Expense | 21.00 |
| Copying Expense | 5.30 |
| Copying Expense | 0.40 |

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Re: Sullivan

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| | |
|---------------------------------|----------------------|
| Copying Expense | 2.20 |
| Lexis period 03/01-31/2010 | 223.06 |
| Lexis period 03/01-31/2010 | 368.88 |
| Lexis period 03/01-31/2010 | 40.90 |
| Lexis period 03/01-31/2010 | 0.50 |
| Copying Expense | 1.00 |
| Copying Expense | 7.40 |
| Copying Expense | 13.30 |
| Copying Expense | 32.30 |
| Copying Expense | 6.40 |
| Copying Expense | 43.00 |
| Copying Expense | 633.20 |
| Lexis period 04/01-30/2010 | 354.52 |
| Lexis period 04/01-30/2010 | 95.77 |
| Lexis period 04/01-30/2010 | 69.00 |
| Color Copying Expense | 492.84 |
| Express Mail | 208.60 |
| Long Distance | 54.99 |
| Meeting Expense | 78.00 |
| Outside Copies | 6,332.53 |
| Travel | |
| Total Disbursements | \$ 10,575.60 |
| TOTAL DUE THIS STATEMENT | \$ 225,498.10 |

PNE

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Re: Sullivan

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REMITTANCE COPY

July 15, 2010

James R. Freeman, Esq.
Wilkes & McHugh, P.A.
Tampa Commons
1 N. Dale Mabry, Suite 800
Tampa, FL 33609

Requesting Attorney: Philip Elbert

IDENTIFICATION# [REDACTED]

| | | |
|--------------------------------|----|-------------------|
| Total Fees | \$ | 214,922.50 |
| Total Disbursements | \$ | 10,575.60 |
| TOTAL DUE THIS STATEMENT | \$ | <u>225,498.10</u> |

Please Remit Payment to:

Neal & Harwell - 150 Fourth Ave N., Suite 2000, Nashville, TN 37219